

COPY OF PAPERS
ORIGINALLY FILED

Declaration and Power of Attorney

As a below named inventor and petitioner in the foregoing petition, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor (if only one inventor is named below) or a joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND APPARATUS FOR MEASURING A FREQUENCY OF AN OPTICAL SIGNAL
and the specification which (check one)

_____ is attached hereto.

X was filed on January 31, 2002 as Application Serial No. 10/062,604

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I/We hereby claim the benefit under 35 U.S.C. § 120 of any application(s) listed below previously filed in the United States, or as provided in 35 U.S.C. § 363, for all inventions disclosed in the manner provided by the first paragraph of 35 U.S.C. § 112; and, insofar as this application discloses and claims subject matter in addition to that disclosed in the prior copending application(s), I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application.

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status (patented, pending, abandoned)</u>
-------------------------------	--------------------	--

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status (patented, pending, abandoned)</u>
-------------------------------	--------------------	--

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status (patented, pending, abandoned)</u>
-------------------------------	--------------------	--

I/We hereby appoint Jon P. Christensen, Registration Number 34,137, of the law firm of Welsh & Katz, Ltd., and the attorneys thereof:

<u>Attorney</u>	<u>Registration No.</u>
A. Sidney Katz	24,003
Richard L. Wood	22,839
Jerold B. Schnayer	28,903
Eric C. Cohen	27,429
Joseph R. Marcus	25,060
Gerald S. Schur	22,053
Gerald T. Shekleton	27,466
James E. Scheer	29,434
Daniel R. Cherry	29,054
Edward P. Gamson	29,381
Kathleen A. Rheintgen	34,044
Thomas W. Tolpin	27,600
Jon P. Christensen	34,137
Walter J. Kawula, Jr.	39,724
Mitchell J. Weinstein	37,963
Leonard Friedman	37,135
Steven E. Feldman	40,604
Jeffrey W. Salmon	37,435

RECEIVED
JUL 16 2002
TECHNOLOGY CENTER 2800

as my/our patent attorneys with full power of substitution to prosecute this application and transact all business in the U.S. Patent and Trademark Office.

SEND CORRESPONDENCE TO:

Jon P. Christensen
Welsh & Katz, Ltd.
22nd Floor
120 S. Riverside Plaza
Chicago, Illinois 60606

PHONE: (312) 655-1500

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of inventor

Bradley Mells

Post Office Address

21210 Erwin Street, Woodland Hills CA
2195 Faraday Avenue, Suite K, Carlsbad, California 92008

91367

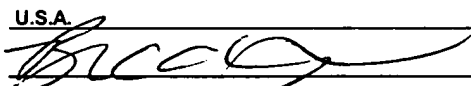
Residence

same

Citizenship

U.S.A.

Inventor's signature



Date

June 1, 2002

Assignment

Applicant or Patentee: Bradley Mells
Serial or Patent No.: 10/062,604
Filed or Issued: 1/31/02
For: METHOD AND APPARATUS FOR MEASURING A FREQUENCY OF AN OPTICAL SIGNAL
Attorney Docket No. 6634-82775

In Consideration of Ten Dollars and other good and valuable considerations, the receipt of which is hereby acknowledged, the entire right, title and interest in the invention and improvements of the undersigned in a

METHOD AND APPARATUS FOR MEASURING A FREQUENCY OF AN OPTICAL SIGNAL

and in the U.S. Patent and U.S. Patent Application therefor, executed by the undersigned herewith and in any reissue, continuation, or divisional U.S. Patent that may be granted upon said U.S. Patent Application are hereby assigned by the undersigned to

FIBERSPACE, INC., a California corporation
and the heirs, successors, legal representative and assigns thereof (hereinafter collectively referred to as the Assignee).

For said considerations it is hereby agreed that I have sold and assigned, and hereby do sell and assign, to said Assignee, its successors and assigns, the entire right, title and interest (a) in the above-identified invention or inventions and all improvements and modifications thereof, (b) in the above-identified application and all other applications for Letters Patent of the United States and countries foreign thereto for the above-identified invention or inventions and all improvements and modifications thereof, in all Letters Patent which may issue from said applications in the United States and countries foreign thereto, and (d) to all divisions, reissues, continuations and extensions of said applications and Letters Patents; and covenant I have the full right so to do; and I hereby authorize and request the Commissioner of Patents and Trademarks to issue all United States Letters Patent on the invention or inventions included herein to said Assignee of the entire interest.

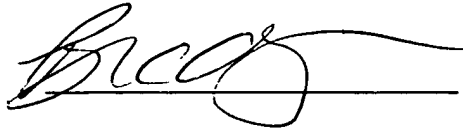
I further agree that I shall communicate to said Assignee, its successor and assigns, or their representative or agents all facts and information known or available to me respecting said invention or inventions, improvements and modifications including evidence for interference, reexamination, reissue, opposition, revocation, extension or infringement purposes or other legal, judicial or administrative proceedings, whenever requested; testify in person or by affidavit as required by said Assignee, its successors and assigns, in any such proceeding in the United States or a country foreign thereto; execute and deliver, on request, all lawful papers including, but not limited to, original, divisional, continuation (including any continuations-in-part) and reissue applications, renewals, assignments, powers of attorney, oaths, affidavits, declarations, depositions; and provide all reasonable assistance to Assignee, its successors and assigns, in obtaining and enforcing proper protection for said invention or inventions, improvements and modifications under the intellectual property laws of the United States and countries foreign thereto.

In testimony whereof, I have hereunto set my hand and seal, on the line set after my signature.

Name of Sole assignor and inventor

Bradley Mells

Signature of assignor and inventor



(Seal)

Date: June 1, 2002